

Permit / Application Information Sheet

Division of Environmental Protection West Virginia Office of Air Quality

Company:	Beckley Sanitary Board		Facility:	Beckley; Piney Creek	
Region:	0	Plant ID:	081-00165	Application #:	13-3341
Engineer:	Kessler, J	loe		Category:	
Physical Address:		ney Creek] y WV 2580		SIC: [4952] ELECTRI SEWERAGE SYSTEM	C, GAS AND SANITARY SERVICES - 1S vage Treatment Facilities
County:	Raleigh	1			
Other Parties	MANAGER	- Johnson, Jerer	niah 304-256-1760		

Information Needed for Database and AIRS 1. Need valid physical West Virginia address with zip	Regulated Pollutants CO Carbon Monoxide PM10 Particulate Matter < 10 um SO2 Sulfur Dioxide VOC Volatile Organic Compounds (Reactive organic gases) PM2.5 Particulate Matter < 2.5 um PT Total Particulate Matter	0.000 TPY 0.000 TPY 0.000 TPY 0.000 TPY 0.000 TPY
	NOX Nitrogen Oxides (including NO,	0.000 TPY 0.000 TPY
	NO2, NO3, N2O3, N2O4, and N2O5)	

Summary from this Permit 13-3341 Air Programs SIP		Applicable Regulations	Notes from Database Permit Note: Adding a 9,520 cf/hr waste biogas flare.
Fee Program 9M	Fee \$2,000.00	Application Type CONSTRUCTION	
Activity Dates			······································

APPLICATION RECIEVED 09/21/2016
APPLICATION FEE PAID 09/23/2016
ASSIGNED DATE 09/23/2016
APPLICANT PUBLISHED LEGAL AD 09/27/2016
APPLICATION DEEMED COMPLETE 10/20/2016



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Please note, this information sheet is not a substitute for file research and is limited to data entered into the AIRTRAX database.

Company ID: 081-00165 Company: Beckley Sanitary Board Printed: 12/29/2016

Engineer: Kessler, Joe

IPR FILE INDEX

Applicant: Beckley Sanitary Board

Facility:

Piney Creek Wastewater Treatment Plant

Plant ID No.: <u>081-00165</u>

R13-<u>3341</u>

Chronological Order - Add Index Pages As Necessary

Date	То	From	Subject	# of pages
9/23/16	BSB	Sandra Adkins	48-Hour Letter	
10/13/16	Joe Kessler	BSB	E-mail w/ scanned copy of affidavit	
10/20/16	BSB	Joe Kessler	Completeness Determination	
10/31/16	Joe Kessler	BSB	Affidavit of Publication	
1/10/17	File	Joe Kessler	DAQ/BSB E-mails	
1/10/17	File	Joe Kessler	Draft Permit R13-3341, Evaluation/Fact Sheet, Tracking Manifest	
1/10/17	Various	Sandra Adkins	Public Notice Documents	

JRK 1/10/17

AIR QUALITY PERMIT NOTICE

Notice of Intent to Approve

On September 21, 2016, the Beckley Sanitary Board applied to the WV Department of Environmental Protection, Division of Air Quality (DAQ) for a permit to modify the Piney Creek Wastewater Treatment Plant located 700 Piney Creek Road, Beckley, Raleigh County, WV at latitude 37.77022 and longitude -81.15343. A preliminary evaluation has determined that all State and Federal air quality requirements will be met by the proposed facility. The DAQ is providing notice to the public of its preliminary determination to issue the permit as R13-3341.

The following increase in potential emissions will be authorized by this permit action: Particulate Matter less than 2.5 microns, 0.37 tons per year (TPY); Particulate Matter less than 10 microns, 0.37 TPY; Particulate Matter, 0.37 TPY; Sulfur Dioxide, 0.01 TPY; Oxides of Nitrogen, 0.88 TPY; Carbon Monoxide, 16.54 TPY; Volatile Organic Compounds, 0.12 TPY.

Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on XXXXX. A public meeting may be held if the Director of the DAQ determines that significant public interest has been expressed, in writing, or when the Director deems it appropriate.

The purpose of the DAQ's permitting process is to make a preliminary determination if the proposed modification will meet all State and Federal air quality requirements. The purpose of the public review process is to accept public comments on air quality issues relevant to this determination. Only written comments received at the address noted below within the specified time frame, or comments presented orally at a scheduled public meeting, will be considered prior to final action on the permit. All such comments will become part of the public record.

Joe Kessler, PE
WV Department of Environmental Protection
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Telephone: 304/926-0499, ext. 1219

FAX: 304/926-0478

Entire Document
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Additional information, including copies of the draft permit, application and all other supporting materials relevant to the permit decision may be obtained by contacting the engineer listed above. The draft permit and engineering evaluation can be downloaded at:

www.dep.wv.gov/daq/Pages/NSRPermitsforReview.aspx

TANKET HOUNDIN

Kessler, Joseph R

From: Adkins, Sandra K

Sent: Tuesday, January 10, 2017 2:09 PM

To: Tara Meyer
Cc: Kessler, Joseph R

Subject: Publication of Class I Legal Ad for the WV Division of Air Quality

Please publish the information below as a Class I legal advertisement (one time only) in the Friday, January 13, 2017, issue of *The Register-Herald*. Please let me know that this has been received and will be published as requested. Thank you.

Send the invoice for payment and affidavit of publication to:

Sandra Adkins
WV Department of Environmental Protection
DIVISION OF AIR QUALITY
601-57th Street
Charleston, WV 25304

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Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on Monday, February 13, 2017. A public meeting may be held if the Director of the DAQ determines that significant public interest has been expressed, in writing, or when the Director deems it appropriate.

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Kessler, Joseph R

From:

Adkins, Sandra K

Sent:

Tuesday, January 10, 2017 2:29 PM

To: Cc: Tara Meyer

CC:

Kessler, Joseph R

Subject:

RE: Publication of Class I Legal Ad for the WV Division of Air Quality

Thank you!!

From: Tara Meyer [mailto:tmeyer@register-herald.com]

Sent: Tuesday, January 10, 2017 2:28 PM

To: Adkins, Sandra K <Sandra.K.Adkins@wv.gov>

Subject: Re: Publication of Class I Legal Ad for the WV Division of Air Quality

Hello Sandra, thank you for emailing this ad, it is confirmed to publish as requested. Hope you're having a good day.

Tara Meyer Legal Advertising Manager The Register-Herald Beckley, WV

phone: (304) 255-4413 fax: (304) 255-4427

From: Adkins, Sandra K

Sent: Tuesday, January 10, 2017 2:08 PM

To: <u>Tara Meyer</u> Cc: <u>Kessler, Joseph R</u>

Subject: Publication of Class I Legal Ad for the WV Division of Air Quality

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WV Department of Environmental Protection
DIVISION OF AIR QUALITY
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Charleston, WV 25304

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Kessler, Joseph R

From:

Adkins, Sandra K

Sent:

Wednesday, January 11, 2017 10:03 AM

To:

Glance, Jacob P; Gillenwater, Kelley J

Cc: Subject:

Kessler, Joseph R DAQ Public Notice

Please see below the Public Notice for Draft Permit R13-3341 for Beckley Sanitary Board's Piney Creek Wastewater Treatment Plant located in Raleigh County.

The notice will be published in *The Register-Herald* on Friday, January 13, 2017. The thirty day comment period will end on Monday, February 13, 2017.

AIR QUALITY PERMIT NOTICE

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www.dep.wv.gov/daq/Pages/NSRPermitsforReview.aspx

Kessler, Joseph R

From:

Adkins, Sandra K

Sent:

Wednesday, January 11, 2017 10:03 AM

To:

'wentworth.paul@epa.gov'; 'bradley.megan@epa.gov'; jbarry@thrashereng.com;

jarmstrong@thrashereng.com

Cc:

Durham, William F; McKeone, Beverly D; McCumbers, Carrie; Hammonds, Stephanie E;

Kessler, Joseph R; Taylor, Danielle R; Rice, Jennifer L

Subject:

WV Draft Permit R13-3341 for Beckley Sanitary Board; Piney Creek Wastewater

Treatment Plant

Attachments:

3341.pdf; Eval3341.pdf; notice.pdf

Please find attached the Draft Permit R13-3341, Engineering Evaluation, and Public Notice for Beckley Sanitary Board's Piney Creek Wastewater Treatment Plant located in Raleigh County.

The notice will be published in *The Register-Herald* on Friday, January 13, 2017, and the thirty day comment period will end on Monday, February 13, 2017.

Should you have any questions or comments, please contact the permit writer, Joe Kessler, at 304 926-0499 x1219.



west virginia department of environmental protection

Division of Air Quality 601 57th Street SE Charleston, WV 25304 Phone (304) 926-0475 • FAX: (304) 926-0479

Earl Ray Tomblin, Governor Randy C. Huffman, Cabinet Secretary www.dep.wv.gov

ENGINEERING EVALUATION / FACT SHEET

BACKGROUND INFORMATION

Application No.:

R13-3341

Plant ID No.:

081-00165

Applicant:

Beckley Sanitary Board

Facility Name:

Piney Creek Wastewater Treatment Plant

Location:

Raleigh County 4952/221320

SIC/NAICS Code: Application Type:

Modification

Received Date:

September 21, 2016

Engineer Assigned:

Joe Kessler

Fee Amount:

\$2,000

Date Received:

September 23, 2016

Complete Date:

Due Date:

October 20, 2016

Applicant Ad Date:

January 18, 2017

Newspaper:

September 27, 2016

UTM's:

The Register-Herald

486.470 km Easting • 4,180.329 km Northing • Zone 17

Latitude/Longitude:

37.77022/-81.15343

Description:

Request to add a 9,520 ft³/hr flare to combust excess biogas produced in the

Entire Document

NON-CONFIDENTIAL

existing digesters.

On September 21, 2016, the Beckley Sanitary Board (BSB) applied for a permit to modify the Piney Creek Wastewater Treatment Plant located approximately two (2) miles east of downtown Beckley along Piney Creek Road in Raleigh County, WV. The facility was originally constructed in the 1930's but has been the subject of only one previous permitting action. On August 6, 2002, BSB was issued Permit Number R13-2491 for the installation of an 1,250 kW_e Onan diesel-fired emergency generator.

DESCRIPTION OF PROCESS/MODIFICATIONS

Existing Facility

The Piney Creek Wastewater Treatment Plant is a standard municipal wastewater treatment facility serving the greater-Beckley area. The facility can receive up to a maximum design flow of 8.0 million gallons per day (MGD) of influent from twenty-three (23) area pumping stations. The

influent is then treated in one of two parallel processes: either a 4.5 MGD sequencing batch reactor (SBR) or a 3.5 MGD waste-activated sludge process. Solids in both processes go through two 400,000 gallon anaerobic digesters and are dewatered on belt filter presses before being land applied during the summer or land-filled in the winter. Final treatment of the liquids using ultraviolet disinfection occurs before introduction of the cleaned water into Piney Creek. Currently, biogas created during the digester process is combusted in one of two existing, grand-fathered (for permitting processes) boilers. Biogas generated in these processes typically is a highly moist mixture made up primarily of methane (~ 60 - 65%) and carbon dioxide (~ 35 to 40%).

Proposed Modifications

The BSB is now proposing to modify the facility by installing a Varec Model Number 244W (6" diameter) non-assisted, design-capacity 9,520 ft³/hr (based on a MOP 8 guidelines) elevated flare to combust excess biogas produced in the existing digesters. Based on an average biogas heat content of 621 Btu/ft³, the maximum design heat input of the flare can be calculated at 5.91 mmBtu/hr. The flare is expected to burn no more than a maximum of 7,746 ft³/hr of biogas based on worst-case conditions. The flare is switched on when pressure inside the digester piping exceeds a set threshold via a pressure switch and includes a 0.11 mmBtu/hr continuously lit natural-gas fired pilot light. Combustion of the bio-gas prevents potential odor problems by converting the methane to primarily carbon dioxide and water vapor. The flare is required as the facility plans to be accepting additional grease-trap influent that will increase the amount of biogas beyond which the existing boilers are capable of handling.

SITE INSPECTION

Due to the nature of the proposed modification, the author did not perform a site inspection of the facility for this permitting action. The facility was last inspected by DAQ Compliance/Enforcement (C/E) Inspector Mr. John Moneypenny on September 15, 2010. This inspection found the facility be "Status 30 - In Compliance."

AIR EMISSIONS AND CALCULATION METHODOLOGIES

BSB included in Attachment N of the permit application an emission estimate for the proposed Varec Model Number 244W (6" diameter) non-assisted, design 9,520 ft³/hr (based on a MOP 8 guidelines) elevated flare. While quality emission factors for criteria pollutants produced when combusting biogas are not readily available, as biogas is predominately methane, surrogate emission factors may be used to reasonably estimate potential emissions. To this effect, BSB used available emission factors from AP-42 Section 2.4 - "Municipal Solid Waste Landfills" to estimate the emissions of CO, NO_x, and PM_{2.5}/PM₁₀/PM (note they used the current emission factors and not the draft factors now available). Landfill gas (LFG) is very similar in characteristics (made up of methane and carbon dioxide) as biogas. For SO₂ and VOCs, as no emission factors are given for the flaring of LFG, BSB used emission factors provided for natural gas combustion as given in AP-42 Section 1.4. AP-42 is a database of emission factors maintained by USEPA.

Hourly emissions from the flare were based on the maximum expected gas input to the flare of 7,746 ft³/hr and an average biogas heat content of 621 Btu/ft³ (therefore, giving an expected maximum heat input to the flare of 4.81 mmBtu/hr). Annual emissions were based on operating 8,760 hours per year at the maximum hourly rate. Pilot light emissions were considered negligible.

The following table details the calculated emissions from the proposed flare:

Table 1: Varec Model Number 244W Flare PTE⁽¹⁾

Pollutant	Emission Factor	Source	Hourly (lb/hr)	Annual (ton/yr)
СО	750 lb/mmft³-CH ₄	AP-42, Table 2.4-5	3.78	16.54
NO _x	40 lb/mmft³-CH ₄	AP-42, Table 2.4-5	0.20	0.88
PM _{2.5} /PM ₁₀ /PM	17 lb/mmft³-CH ₄	AP-42, Table 2.4-5	0.09	0.37
SO_2	0.60 lb/mmft³-CH ₄	AP-42, Table 1.4-4	0.003	0.013
VOCs	5.50 lb/mmft³-CH ₄	AP-42, Table 1.4-4	0.03	0.12

⁽¹⁾ Emissions were adjusted downward to reflect the expected worst-case methane concentration of the biogas (65%).

REGULATORY APPLICABILITY

This section will address the potential regulatory applicability/non-applicability of substantive state and federal air quality rules relevant to the flare proposed for the Piney Creek Wastewater Treatment Plant.

45CSR6: To Prevent and Control Particulate Air Pollution from Combustion of Refuse

BSB has proposed use of a flare for combusting excess biogas. This flare will meet the definition of an "incinerator" under 45CSR6 and is, therefore, subject to the requirements therein. The substantive requirements applicable to the unit is discussed below.

45CSR6 Emission Standards for Incinerators - Section 4.1

Section 4.1 limits PM emissions from incinerators to a value determined by the following formula:

Emissions (lb/hr) = $F \times Incinerator Capacity (tons/hr)$

Where, the factor, F, is as indicated in Table I below:

Table I: Factor, F, for Determining Maximum Allowable Particulate Emissions

Incinerator Capacity	Factor F
A. Less than 15,000 lbs/hr	5.43
B. 15,000 lbs/hr or greater	2.72

Based on the maximum capacity of the proposed flare of (9,520 ft³/hr), and using the density of methane (0.0422 lb/scf), the capacity of the flare in lbs/hr would be approximately 401 lbs/hour (0.20 tons/hr). Using this value in the above equation produces a PM emission limit of 1.09 lb/hr. When operating correctly, there is expected to be only trace amounts of particulate matter from the flare and, therefore, the flare shall easily meet this limit.

45CSR6 Opacity Limits for - Section 4.3, 4.4

Pursuant to Section 4.3, and subject to the exemptions under 4.4, the flare has a 20% limit on opacity during operation. As a primary constituent in the vapors combusted in the unit shall be clean burning methane, particulate matter emissions from the unit is expected to be nominal. Therefore, the unit should easily meet this requirement.

45CSR13: Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits, and Procedures for Evaluation

The Piney Creek Wastewater Treatment Plant Flare does not have a maximum potential emission rate of a regulated pollutant in excess of the thresholds given under Section 2.17 of 45CSR13 that would define the construction of the proposed flare as a "modification" and require Ashland to get a permit prior to beginning construction. However, under Section 2.24 of 45CSR13, included in the definition of a "stationary source" is any facility that "is subject to any substantive requirement of an emission control rule promulgated by the Secretary." Based on long-standing DAQ policy and the "dual-definition" of a source, this test is also applied to proposed changes to determine if they meet the definition of modification. In the case of the proposed flare, it does trigger a substantive requirement of 45CSR6 (see above) and, therefore, is defined as a modification. Pursuant to §45-13-5.1, "[n]o person shall cause, suffer, allow or permit the construction . . . and operation of any stationary source to be commenced without . . . obtaining a permit to construct." Therefore, BSB is required to obtain a permit under 45CSR13 for the construction and operation of the biogas flare.

As required under §45-13-8.3 ("Notice Level A"), BSB placed a Class I legal advertisement in a "newspaper of *general circulation* in the area where the source is . . . located." The ad ran on September 27, 2016 in *The Register-Herald* and the affidavit of publication for this legal advertisement was submitted on October 31, 2016.

45CSR30: Requirements for Operating Permits - (NON APPLICABILITY)

45CSR30 provides for the establishment of a comprehensive air quality permitting system consistent with the requirements of Title V of the Clean Air Act. The Piney Creek Wastewater Treatment Plant does not meet the definition of a "major source under § 112 of the Clean Air Act" as outlined under §45-30-2.26 and clarified (fugitive policy) under 45CSR30b. Additionally, there is no indication that the facility is, based on the applicability of a federal performance standard, subject to Title V as a "deferred" area source. Therefore, the facility is not subject to 45CSR30.

TOXICITY ANALYSIS OF NON-CRITERIA REGULATED POLLUTANTS

This section provides an analysis for those regulated pollutants that may be emitted from the flare proposed for the Piney Creek Wastewater Treatment Plant and that are not classified as "criteria pollutants." Criteria pollutants are defined as Carbon Monoxide (CO), Lead (Pb), Oxides of Nitrogen (NO_x), Ozone, Particulate Matter (PM₁₀ and PM_{2.5}), and Sulfur Dioxide (SO₂). These pollutants (with the exception of PM) have National Ambient Air Quality Standards (NAAQS) set for each that are designed to protect the public health and welfare. Other pollutants of concern, although designated as non-criteria and without national concentration standards, are regulated through various federal programs designed to limit their emissions and public exposure. These programs include federal source-specific Hazardous Air Pollutants (HAPs) limits promulgated under 40 CFR 61 (NESHAPS) and 40 CFR 63 (MACT). Any potential applicability to these programs were discussed above under REGULATORY APPLICABILITY.

The majority of non-criteria regulated pollutants fall under the definition of HAPs which, with some revision since, were 188 compounds identified under Section 112(b) of the Clean Air Act (CAA) as pollutants or groups of pollutants that EPA knows or suspects may cause cancer or other serious human health effects. BSB has not identified any substantive amounts of non-criteria regulated pollutants potentially emitted from the flare proposed for the Piney Creek Wastewater Treatment Plant.

AIR QUALITY IMPACT ANALYSIS

The proposed construction does not meet the definition of a "major stationary source" pursuant to 45CSR14 and, therefore, an air quality impact (computer modeling) analysis was not required. Additionally, based on the nature of the construction, modeling was not required under 45CSR13, Section 7.

MONITORING, COMPLIANCE DEMONSTRATIONS, RECORD-KEEPING, AND REPORTING REQUIREMENTS

The following substantive monitoring, compliance demonstration, reporting, and record-keeping requirements (MRR) shall be required:

- To demonstrate compliance with 4.1.2(a) of the draft permit, BSB shall be required to install instrumentation to monitor and record the amount of biogas sent to the flare;
- Pilot flame compliance demonstration, monitoring and record-keeping is extensive and shall be required as given under 4.2.1(b) through (e) of the draft permit and may be reviewed there; and
- Recording and reporting for visible emissions testing shall be required as given under 4.4.4. and 4.5.1 of the draft permit and may be reviewed there.

Fact Sheet R13-3341
Beckley Sanitary Board
Piney Creek Wastewater Treatment Plant

PERFORMANCE TESTING OF OPERATIONS

The following substantive performance testing requirements shall be required:

• Visible emissions testing to show compliance with 45CSR6 shall be required initially within 180 days of start-up and thereafter at a minimum of at least once per each period of 12 months. Additionally, a visible emission check shall be conducted each time the flare is manually started. Specific visible emissions testing requirements shall be as given under 4.3.1. of the draft permit and may be reviewed there.

RECOMMENDATION TO DIRECTOR

The information provided in permit application R13-3341 indicates that compliance with all applicable state and federal air quality regulations will be achieved. Therefore, I recommend to the Director the issuance of Permit Number R13-3341 to the Beckley Sanitary Board for the modification of the Piney Creek Wastewater Treatment Plant located on Piney Creek Road, Raleigh County, WV.

Joe Kessler, PE

Engineer

12/29/16 Date

West Virginia Department of Environmental Protection Division of Air Quality Randy C. H.

Earl Ray Tomblin Governor Randy C. Huffman Cabinet Secretary

Permit to Modify



NON-CONFIDENTIAL R13-3341

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45 C.S.R. 13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:

Beckley Sanitary Board Piney Creek Wastewater Treatment Plant 081-00165

DRAFT

William F. Durham Director

Issued: DRAFT

Facility Location:

700 Piney Creek Road, Beckley, Raleigh County, West Virginia

Mailing Address:

301 South Huber Street, Beckley, WV 25801

Facility Description: Biogas Flare

Biogas Flare

SIC/NAICS Code: UTM Coordinates:

486.470 km Easting • 4,180.329 km Northing • Zone 17

Latitude/Longitude:

37.77022/-81.15343

Permit Type:

Modification

4952/221320

Description:

Request to add a 9,520 ft³/hr flare to combust excess biogas produced in the existing digesters.

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

The source is not subject to 45CSR30.

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1.0 Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
1S	1E	Varec Model Number 244W Flare	2017	9,520 ft ³ /hr	n/a

2.0. General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45 CSR § 30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Law W.Va. Code §§22-5-1 et seq. and the following Legislative Rules promulgated thereunder:

2.3.1. 45CSR13 – Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation.

2.4. Term and Renewal

2.4.1. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

2.5. Duty to Comply

- 2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-3341 and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;

 [45CSR§§13-5.11 and 13-10.3]
- 2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;
- 2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;
- 2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

2.10.

2.7. Duty to Supplement and Correct Information

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-4]

2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-5.4.]

Major Permit Modification

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.

[45CSR§13-5.1]

2.11. Inspection and Entry

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

2.12. Emergency

2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

- 2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are met.
- 2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and,
 - d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emission, and corrective actions taken.
- 2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- 2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

2.15. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege.

2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. [45CSR§13-10.1]

2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

2.19. Credible Evidence

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. Open burning. The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
 [45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible. **[45CSR§6-3.2.]**
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health Environmental Health require a copy of this notice to be sent to them. [40CFR§61.145(b) and 45CSR§34]
- 3.1.4. Odor. No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
 [45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.

 [45CSR§13-10.5.]
- 3.1.6. Standby plan for reducing emissions. When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45 C.S.R. 11.
 [45CSR§11-5.2.]

3.2. Monitoring Requirements

3.2.1. Emission Limit Averaging Time. Unless otherwise specified, compliance with all annual limits shall be based on a rolling twelve month total. A rolling twelve month total shall be the sum of the measured parameter of the previous twelve calendar months. Compliance with all hourly emission limits shall be based on the applicable NAAQS averaging times or, where applicable, as given in any approved performance test method.

3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the

permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
- d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
 - 1. The permit or rule evaluated, with the citation number and language;
 - 2. The result of the test for each permit or rule condition; and,
 - 3. A statement of compliance or noncompliance with each permit or rule condition.

[WV Code § 22-5-4(a)(14-15) and 45CSR13]

3.4. Recordkeeping Requirements

- 3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.
- 3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§4. State-Enforceable only.]

3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
- 3.5.2. Confidential information. A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
- 3.5.3. Correspondence. All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

If to the USEPA:

Director Associate Director

WVDEP Office of Air Enforcement and Compliance Assistance

Division of Air Quality (3AP20)

601 57th Street, SE U. S. Environmental Protection Agency

Charleston, WV 25304-2345 Region III

1650 Arch Street

Philadelphia, PA 19103-2029

3.5.4. Operating Fee. In accordance with 45CSR22 – Air Quality Management Fee Program, the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first obtaining and having in current effect a Certificate to Operate (CTO). Such Certificate to Operate (CTO) shall be renewed annually, shall be maintained on the premises for which the certificate has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

4.0. Source-Specific Requirements

4.1. Limitations and Standards

4.1.1. Only those emission units/sources as identified in Table 1.0, with the exception of any *de minimis* sources as identified under Table 45-13B of 45CSR13, are authorized at the permitted facility by this permit. In accordance with the information filed in Permit Application R13-3341, the emission units/sources identified under Table 1.0 of this permit shall be installed, maintained, and operated so as to minimize any fugitive escape of pollutants, shall not exceed the listed maximum design capacities, shall use the specified control devices, and comply with any other information provided under Table 1.0.

4.1.2. Flare

The flare, identified as 1S, shall operate according to the following requirements:

- a. The flare shall be non-assisted and the maximum capacity of the flare shall not exceed a design capacity of 9,520 ft³/hr and shall not combust in excess of 67.85 cubic feet of biogas per year;
- b. The flare shall be operated with a flame present at all times while in operation, as determined by the methods specified in 4.2.1;
- c. The flare be operated at all times when biogas is vented to it and shall be designed, operated, and maintained according to good engineering practices or manufacturing recommendations so as to prevent any "objectionable odor" as defined under 45CSR4 from occurring from the biogas being vented to it;
- d. To ensure compliance with 4.1.2(c) above, the permittee shall monitor in accordance with 4.2.1(d).
- e. The permittee shall meet the general control device and work practice requirements as given under 40 CFR 60, Section §60.18;
- f. The maximum combustion exhaust emissions from the flare shall not exceed the limits given in the following table;

Table 4.1.2(f): Flare Combustion Exhaust Emission Limits

Pollutant	PPH	TPY
СО	3.78	16.54
NOx	0.20	0.88
VOCs	0.03	0.12

g. 45CSR6

The flare is subject to 45CSR6. The requirements of 45CSR6 include but are not limited to the following:

(1) The permittee shall not cause, suffer, allow or permit particulate matter to be discharged from the flares into the open air in excess of the quantity determined by use of the following formula:

Emissions (lb/hr) = $F \times Incinerator Capacity (tons/hr)$

Where, the factor, F, is as indicated in Table I below:

Table I: Factor, F, for Determining Maximum Allowable Particulate Emissions

Incinerator Capacity
A. Less than 15,000 lbs/hr

5.43

B. 15,000 lbs/hr or greater 2.72

[45CSR§6-4.1]

(2) No person shall cause, suffer, allow or permit emission of smoke into the atmosphere from any incinerator which is twenty (20%) percent opacity or greater.
[45CSR6 §4.3]

(3) The provisions of paragraph (i) shall not apply to smoke which is less than forty (40%) percent opacity, for a period or periods aggregating no more than eight (8) minutes per start-up.

[45CSR6 §4.4]

(4) No person shall cause or allow the emission of particles of unburned or partially burned refuse or ash from any incinerator which are large enough to be individually distinguished in the open air.

[45CSR6 §4.5]

- (5) Incinerators, including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors.
 [45CSR6 §4.6]
- (6) Due to unavoidable malfunction of equipment, emissions exceeding those provided for in this rule may be permitted by the Director for periods not to exceed five (5) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the malfunction. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director.

[45CSR6 §8.2]

4.2. Monitoring, Compliance Demonstration, Recording and Reporting Requirements

4.2.1. Flare

The permittee shall meet the following Monitoring, Compliance Demonstration, Recording and Reporting Requirements for the flare:

- a. To demonstrate compliance with 4.1.2(a), the permittee shall install instrumentation to monitor and record the amount of biogas sent to the flare;
- b. To demonstrate compliance with the pilot flame requirements of 4.1.2(b), the presence of a pilot flame shall be continuously monitored using a thermocouple or any other equivalent device to detect the presence of a flame when biogas is vented to it. The pilot shall be equipped such that it sounds an alarm, or initiates notification via remote alarm, when the pilot light is out;

- c. For any absence of flame, or other indication of smoking or improper equipment operation, you must ensure the equipment is returned to proper operation as soon as practicable after the event occurs. At a minimum, you must: (1) Check the air vent for obstruction. If an obstruction is observed, you must clear the obstruction as soon as practicable. (2) Check for liquid reaching the combustor;
- d. For the purpose of demonstrating compliance with the continuous flame requirements in 4.1.2(b), the permittee shall maintain records of the times and duration of all periods when the flame was not present and biogas was vented to the device. The permittee shall additionally maintain records of all inspections of the flare required under 4.2.1(c); and
- e. Any time the flare is not operating when emissions are vented to it, the incident shall be reported in writing to the Director of the DAQ as soon as practicable, but within ten (10) calendar days of the discovery.

4.3. Testing Requirements

4.3.1. Flare

The permittee shall meet the following Performance Testing Requirements for the flare:

- a. To demonstrate compliance with the visible emissions requirements of 4.1.2(g), the permittee shall conduct visible emission checks and/or opacity monitoring and recordkeeping for each flare.
 - (1) The visible emission check shall determine the presence or absence of visible emissions. The observations shall be conducted according to Section 11 of EPA Method 22. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40CFR Part 60, Appendix A, Method 22 or from the lecture portion of the 40CFR Part 60, Appendix A, Method 9 certification course. The observation period shall be:
 - (i) a minimum of two (2) hours at initial commissioning;
 - (ii) a minimum of two (2) hours during periods of annual testing; and
 - (iii) a minimum of 15 minutes each time the flare is manually started.
 - (2) The visible emission check shall be conducted initially within 180 days of start-up and thereafter at a minimum of at least once per each period of 12 months. Additionally, a visible emission check shall be conducted each time the flare is manually started.

4.4. Recordkeeping Requirements

- 4.4.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:
 - a. The date, place as defined in this permit and time of sampling or measurements;
 - b. The date(s) analyses were performed:
 - c. The company or entity that performed the analyses:

- d. The analytical techniques or methods used:
- e. The results of the analyses; and
- f. The operating conditions existing at the time of sampling or measurement.
- 4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.
- 4.4.3. Record of Malfunctions of Air Pollution Control Equipment. For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:
 - a. The equipment involved.
 - b. Steps taken to minimize emissions during the event.
 - The duration of the event.
 - d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

- e. The cause of the malfunction.
- f. Steps taken to correct the malfunction.
- g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.
- 4.4.4. For the purpose of demonstrating compliance with the visible emissions and opacity requirements, the permittee shall maintain records of the visible emission opacity tests and checks. The permittee shall maintain records of all monitoring data required by 4.3.1(a) documenting the date and time of each visible emission check, the emission point or equipment/ source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6-10 mph NE wind) during the visual emission check(s). Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission unit out of service during the evaluation, the record of observation may note "out of service" (O/S) or equivalent.

4.5. Reporting Requirements

4.5.1. Any deviation of the allowable visible emission requirement for the flare discovered during observation using 40CFR Part 60, Appendix A, Method 9 per 4.3.1(a) must be reported in writing to the Director of the DAQ as soon as practicable, but within ten (10) calendar days, of the occurrence

and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

CERTIFICATION OF DATA ACCURACY

	I, the undersigned, hereby	certify that, based on information and belief formed after reason	nable		
inqui		ched, repre			
the p	eriod beginning	and ending	, and		
	upporting documents appended hereto, i		_, u		
	e blue ink) Responsible Official or Authorized Representative	Date			
Name (please pr	and Title	Title			
	none No				
This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following: a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either: (I) the facilities employ more than 250 persons or have a gross expectation of the corporation of the co					
	mmon (m second quarter 1980 d	50 persons or have a gross annual sales or expenditures exceeding ollars), or a representative is approved in advance by the Director;	1g \$25		
b.	b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;				
c.					

d. The designated representative delegated with such authority and approved in advance by the Director.

INTERNAL PERMITTING DOCUMENT TRACKING MANIFES							
Company Name Beckies Saverage Boseo Permitting Action Number R13-3341 Total Days 99 DAQ Days 70							
Permitting Action: O Permit Determination O General Permit O Administrative Update	O Tempora O Relocati O Constru	on					
Documents Attached: Engineering Evaluation/Memo Praft Permit Notice Denial Final Permit/General Permit Reg	gistration	Completed Data Withdrawal Letter Other (specify)_					

Date	From	То	Action Requested
12/29/16	Joe Kessler	Bev McKeone	NOTTEE APPEOVAL
1/10/17	Bw	Ju	See Comments - Addum - Copto Notice
	<u> </u>		

NOTE: Retain a copy of this manifest for your records when transmitting your document(s).

Kessler, Joseph R

From: Julie E. Barry <jbarry@thrashereng.com> Sent: Monday, October 10, 2016 4:51 PM

To: Kessler, Joseph R Cc: Jenelle H. Armstrong

Subject: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Attachments: AFFIDAVIT OF PUBLICATION-AIR QUALITY 9-27-2016.pdf

Hi, Joseph-

RE: Application Status **Beckley Sanitary Board** Beckley; Piney Creek Facility ID No. 081-00165 Application No. R13-3341

Please find the attached Class I legal advertisement for the Beckley Sanitary Board Piney Creek facility. If you have questions or need additional information, please let me know.

Best Regards,

Julie E. Barry, L.R.S. Senior Environmental Manager

P.O. Box 940 600 White Oaks Boulevard Bridgeport, West Virginia 26330 P: 800.273.6541

D: 304.848.7839 C: 304.627.7419 F: 304.624.7831

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Kessler, Joseph R

From: Kessler, Joseph R

Sent: Thursday, December 22, 2016 2:56 PM

To: 'Jenelle H. Armstrong'

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

OK, I see that I was looking at the draft Section 2.4 of AP-42 and the EFs are proposed to change. But I am ok with going forward with the older factors as listed. I will take another look at it next week and try to finish up as soon as I can. And I will let you know if I have any more questions.

Thanks

Joe Kessler

From: Jenelle H. Armstrong [mailto:jarmstrong@thrashereng.com]

Sent: Monday, December 19, 2016 3:41 PM **To:** Kessler, Joseph R < Joseph.R. Kessler@wv.gov>

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Hi Joe -

Attached please find our environmental scientist's response to your third question.

Unfortunately, I have been unable to find the information associated with your first two questions. I will continue to try to track down the back ground data on the when the original was constructed. I have asked a number of the folks at BSB but I was unable to verify the dates.

Thank you,

Jenelle

Jenelle H. Armstrong, P.E. Project Manager

300 Association Drive Charleston, WV 25311 P: 304-343-7601

D: 304-205-8804 F: 304-343-7604 C: 304-553-4291

jarmstrong@thrashereng.com

www.thrashereng.com

From: Kessler, Joseph R [mailto:Joseph.R.Kessler@wv.gov]

Sent: Monday, December 19, 2016 9:39 AM

To: Jenelle H. Armstrong

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Jenelle, I'm just checking in on the information request. Updating my status board for the end of the year.

Thanks

Joe Kessler

From: Jenelle H. Armstrong [mailto:jarmstrong@thrashereng.com]

Sent: Thursday, December 1, 2016 2:39 PM

To: Kessler, Joseph R < Joseph.R. Kessler@wv.gov>

Subject: Re: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Hi Joe -

I received your email. I will meet with my design team and prepare a response as soon as possible.

Thank you,

Jenelle 304-553-4291

On Dec 1, 2016, at 2:33 PM, Kessler, Joseph R < Joseph.R.Kessler@wv.gov> wrote:

Jenelle, I am working on the Piney Creek application and have just a couple of questions.

- For informational purposes, what are the size of the existing boilers and when were they installed?
- For context, I would like to know when the facility was first constructed according to a newspaper article, I think it was in the 1930's.
- I cannot reconcile the emission factors for CO, NOx or PM in Attachment N. The narrative before states that all emission factors are taken from AP-42, Section 1.4 and adjusted to account for the lower heat content of the biogas (the footnotes to the following table however indicate that SO2 and VOC are from 1.4 and the rest from 2.4). However, while VOC and SO2 are exactly the factors from 1.4 (not adjusted), the CO, NOx, and PM factors are not. And while PM and NOx are close to the 2.4 factors, CO is significantly higher. Please take a look and let me know what you think. And while not noted, it looks like all emissions were increased by a factor of 10 I assume for a safety factor.

Thanks

Joe Kessler

From: Jenelle H. Armstrong [mailto:jarmstrong@thrashereng.com]

Sent: Thursday, October 20, 2016 10:48 AM
To: Kessler, Joseph R < Joseph.R. Kessler@wv.gov>

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Hi Joe -

No problem. I am actually down in Beckley in a meeting about this project.

Right now, the flare is the only thing being added.

The Boilers may be replaced or repaired by the staff in the future. We will apply for an air permit if needed for those units.

The bio-gas will be used to operate the boiler first. The excess bio-gas will be flared through the new flare. Yes, we will be producing more bio-gas in the future as the plant accepts high strength waste such as grease trap waste.

I will try to break away to give you a call in a few minutes.

Thank you,

Jenelle

Jenelle H. Armstrong, P.E. Project Manager <image001.jpg>

300 Association Drive Charleston, WV 25311 P: 304-343-7601 D: 304-205-8804 F: 304-343-7604 C: 304-553-4291 jarmstrong@thrashereng.com www.thrashereng.com

From: Kessler, Joseph R [mailto:Joseph.R.Kessler@wv.gov]

Sent: Thursday, October 20, 2016 10:40 AM

To: Jenelle H. Armstrong

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

I'll be out tomorrow, but after talking to another engineer, just a couple of final questions. Is the flare the only new emission unit being added? I was a little confused if there was any new boilers added. I don't think so, but I wanted to make sure. If not, in the existing set-up, if more biogas is produced than is combusted by the existing boilers, is the biogas released? Is there some other modification going on that will result in more biogas now being produced precipitating the need for the flare?

I'm sorry to bug you when you're out of the office.

Thanks

Joe Kessler

From: Jenelle H. Armstrong [mailto:jarmstrong@thrashereng.com]

Sent: Thursday, October 20, 2016 10:29 AM **To:** Kessler, Joseph R < <u>Joseph.R.Kessler@wv.gov</u>>

Subject: Re: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Hi Joe -

I'm in a meeting today until 3pm. Can we talk tomorrow? Also, Julie may be able to answer the questions.

Thank you,

Jenelle 304-553-4291

On Oct 20, 2016, at 10:21 AM, Kessler, Joseph R < Joseph.R.Kessler@wv.gov > wrote:

I have just a couple of other questions concerning the application. I am trying to finish up the completeness determination today. Are you available for a quick call?

Thanks

Joe

From: Jenelle H. Armstrong [mailto:jarmstrong@thrashereng.com]

Sent: Thursday, October 20, 2016 10:14 AM

To: Kessler, Joseph R < Joseph.R.Kessler@wv.gov>

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Hi Joe -

I am out of town but I have asked one of our engineers to call you and bring you a hard copy.

Thank you,

Jenelle

Jenelle H. Armstrong, P.E. Project Manager <image001.jpg>

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To: Jenelle H. Armstrong

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

I have not yet received the affidavit. Might want to check the tracking and see if it made it.

Joe Kessler

From: Jenelle H. Armstrong [mailto:jarmstrong@thrashereng.com]

Sent: Thursday, October 13, 2016 10:01 AM

To: Kessler, Joseph R < <u>Joseph.R.Kessler@wv.gov</u>>
Cc: Julie E. Barry < <u>jbarry@thrashereng.com</u>>

Subject: FW: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Hi Joe -

Attached please find a scanned of the original affidavit. We are sending the hard copy via UPS today. Please let us know if you do not receive it tomorrow.

Please call or email me with any questions.

Thank you,

Jenelle

Jenelle H. Armstrong, P.E. Project Manager <image001.jpg>

300 Association Drive Charleston, WV 25311 P: 304-343-7601 D: 304-205-8804 F: 304-343-7604 C: 304-553-4291 jarmstrong@thrashereng.com www.thrashereng.com

From: Kessler, Joseph R [mailto:Joseph.R.Kessler@wv.gov]

Sent: Tuesday, October 11, 2016 9:31 AM

To: Julie E. Barry

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Thank you Julie, please send in the original affidavit as well. I will complete an initial completeness review by 10/21, and will get back to you by then with any additional information I need to deem the application complete.

Thanks

Joe Kessler, PE Engineer West Virginia Division of Air Quality 601-57th St., SE Charleston, WV 25304

Phone: (304) 926-0499 x1219

Fax: (304) 926-0478 Joseph.r.kessler@wv.gov From: Julie E. Barry [mailto:jbarry@thrashereng.com]

Sent: Monday, October 10, 2016 4:51 PM

To: Kessler, Joseph R < Joseph.R.Kessler@wv.gov>

Cc: Jenelle H. Armstrong < <u>jarmstrong@thrashereng.com</u>>

Subject: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Hi, Joseph-

RE: Application Status Beckley Sanitary Board Beckley; Piney Creek Facility ID No. 081-00165 Application No. R13-3341

Please find the attached Class I legal advertisement for the Beckley Sanitary Board Piney Creek facility. If you have questions or need additional information, please let me know.

Best Regards,

Julie E. Barry, L.R.S. Senior Environmental Manager

<image002.jpg>

P.O. Box 940 600 White Oaks Boulevard Bridgeport, West Virginia 26330

P: 800.273.6541 D: 304.848.7839 C: 304.627.7419 F: 304.624.7831 www.thrashereng.com

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Kessler, Joseph R

From: Julie E. Barry <jbarry@thrashereng.com>
Sent: Wednesday, December 7, 2016 4:36 PM

To: Jenelle H. Armstrong

Subject: FW: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Attachments: AP42_2.4-5 WasteFlareFactors.pdf .pdf

My comments are below in red.

Julie E. Barry, L.R.S. Senior Environmental Manager

From: Jenelle H. Armstrong

Sent: Thursday, December 01, 2016 2:40 PM

To: Julie E. Barry

Subject: Fwd: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Hi Julie - do you have availability early next week to address the comments below? Maybe Monday morning around 10 am or Monday afternoon around 3 pm.

Thank you,

Jenelle 304-553-4291

Begin forwarded message:

From: "Kessler, Joseph R" < Joseph.R.Kessler@wv.gov>

Date: December 1, 2016 at 2:33:15 PM EST

To: "Jenelle H. Armstrong" < <u>jarmstrong@thrashereng.com</u>>

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Jenelle, I am working on the Piney Creek application and have just a couple of questions.

- For informational purposes, what are the size of the existing boilers and when were they installed? I'm not sure
- For context, I would like to know when the facility was first constructed according to a newspaper article, I think it was in the 1930's. I'm not sure
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I attached the AP42 2.4 Municipal Solid Waste Landfill Table 2.4-5. I used AP42 Table 2.4-5 emission factors in the calculations of CO, NOx, and PM. (They are highlighted yellow.) The AP-42, Section 1.4 emission factors for NOx and PM were lower. CO did not have an emission factor listed in Table 1.4-2. So I looked for comparable emission factors. The closest I identified was a municipal solid waste landfill flare, which had much larger emission factors. The hope was to give a worst case calculation (Let me know if Joe doesn't agree). It looks like I stated that I was going to use the higher out of the 2 emission factors and then didn't properly describe which ones I took from AP-42, Table 2.4-5. I apologize for the confusion.

The emission calculations were based on the gas production in cf6/hr*Methane assumption*emission factor*flare efficiency

I hope this helps! Julie

From: Jenelle H. Armstrong [mailto:jarmstrong@thrashereng.com]

Sent: Thursday, October 20, 2016 10:48 AM
To: Kessler, Joseph R < Joseph.R. Kessler@wv.gov>

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

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Jenelle H. Armstrong, P.E. Project Manager

300 Association Drive Charleston, WV 25311

D: 304-205-8804 F: 304-343-7604 C: 304-553-4291

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Number R13-3341

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Joe Kessler, PE Engineer West Virginia Division of Air Quality 601-57th St., SE Charleston, WV 25304 Phone: (304) 926-0499 x1219

Fax: (304) 926-0478

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Subject: Beckley Sanitary Board - Piney Creek - DAQ Application Number

R13-3341

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Julie E. Barry, L.R.S. Senior Environmental Manager

<image002.jpg>

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AFFIDAVIT OF PUBLICATION

BECKLEY NEWSPAPERS **BECKLEY, WEST VIRGINIA 25801**



09/27/2016

STATE OF WEST VIRGINIA COUNTY OF RALEIGH, to wit:

I, Tara Meyer, being duly sworn upon my oath, do depose and say that I am Legal Advertising Clerk for Beckley Newspapers, a corporation, publisher of the newspaper entitled The Register-Herald, an Independent newspaper; that I have been duly authorized by the board of directors of such corporation to execute this affidavit of publication; that such newspaper has been published for more than one year prior to publication of the annexed notice described below; that such newspaper is regularly published daily for at least fifty weeks during the calendar year, in the municipality of Beckley, Raleigh County, West Virginia: that such newspaper is a newspaper of "general circulation" as that term is defined in article three ,chapter fifty-nine of the Code of West Virginia, 1931, as amended, within the publication area of areas of the aforesaid municipality and county; that such newspaper averages in length four or more pages, exclusive of any cover, per issue; that such newspaper is circulated to the general public at a definite price of consideration; that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial and social nature, and for current happenings, announcements, miscellaneous reading matter, advertisements and other notices; that the annexed notice

of AIR QUALITY PERMIT NOTICE / NOTICE OF APPLICATION

(Description of notice)

was duly published in said newspaper once a week for $\underline{1}$ successive

weeks (Class 1), commencing with the issue of 09/27/2016

and ending with the issue of 09/27/2016, that said annexed notice was

published on the following dates: 09/27/2016,

and that the cost of publishing said annexed notice as aforesaid was \$ 55.18

Signed

Tara Meyer

Legal Advertising Clerk Beckley Newspapers

Taken, subscribed and sworn to before me in my said county this day:

09/<u>27/2016</u>

My commission expires March 27/2021

Notary Public of Raleigh County.

OFFICIAL SEAL Notary Public, State of West Virginia DIANA L. SLONE Backley Newspopers P. O. Bax 2000

Pockley, WV 23802 My commission expires March 27, 2021 COPY OF PUBLICATION

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AIR QUALITY PERMIT NOTICE LEGAL ADVERTISEMENT CLASS I 9/27/2016

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RCEL 160

SALE: perty will in an "AS condition taining no kpress or ect to the redempperty tax-eds, liens, encumstrictions. square feet, more or easevenants,

October 21, 2016 at 9:30 a.m.

the following described real estate, together with its improvements, ease-ments and appurtenances thereunto belonging, situate in Shady Springs Dis-Shady Springs Dis-trict, Raleigh County, West Virginia, and more particularly described as follows:

That certain tract or parcel of land situate on the waters of Little Beaver Creek, Shady Springs District, Raleigh County, West Virginia, described as

а

follows: Beginning at forked locust fence post at the corner of G.C. Hedrick's proper-ty and the Old Blue Jay Railroad running south with a branch and G. C. Hedrick's

line to the center of Blue Jay Railroad bed to the point of beginning, containing 14922

less.

(Wae") to recease thereunder, will offer for sale at public auction at the front door of the Raleigh County Courthouse in Beck-ley, West Virginia, on October 14, 2016

at 9:30 a.m. the following described real estate, together with its improvements, ease-ments and appurtenances thereunto belonging, situate in Mabscott District, Raleigh County, West Virginia, and more particularly described

as follows:
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF Raleigh, STATE OF West Virginia AND IS DE-SCRIBED AS FOL-

LOWS: BEGINNING AT A CUT MARK (FOUND) IN THE SIDEWALK BElittle Beaver Creek; ING THE CORNER OF thence at a straight LOTS NO. 8 AND 9. AT thence at a straight LOTS NO. 8 AND 9. AT line to the center of THE RIGHT-OF-WAY line to the center of the hight-or-wall little Beaver Creek; OF CHESTNUT STREET, THENCE line running north to a locust fence post and the Old Blue Jay Railroad bed; thence rundal with the Lot Line conditions of the condition of the center o ning east with the Old OF LOTS NO. 8 AND 9: S 77 DEGREES 03' E 115.38 FEET TO A CORNER FENCE POST (FOUND) BEING A CORNER OF THE WV

000 LEGALS 대로성의 (BIHYAY) 000

AIR QUALITY PERMIT NOTICE **Notice of Application**

Notice is given that Beckley Sanitary Board has applied to the West Virginia Department of Environmental Protection, Division of Air Quality, for a Construction Permit for a Construction Permit under 45 CSR 13 for a flare located at 700 Piney Creek Road, Beckley in Raleigh County, West Virginia. The latitude and longitude coordinates are: 37.770217 N, 81.153437 W.

The applicant estimates the potential to discharge the following Regulated Air Pollutants will be:

	missions in tpy (tons per vear)
NOx	0.882
CO	16.54
VOC.	0.121
SO2	0.013
PM10	0.375
Total HAPs	0.003

Startup of operation is planned to begin on or about the 1st day of May, 2017. Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304, for at least 30 calendar days from the date of publication of this notice.

Any questions regarding this permit application should be directed to the DAQ at (304) 926-0499, extension 1250, during normal business hours.

Dated this the 27th day of September, 2016

By: Beckley Sanitary Board Jeremiah Johnson **Beckley Sanitary Board Manager** 301 South Heber Street CORNER OF THE WV Beckley, West Virginia 25801
And being the same COUNTRY HOMES, 9-27-TUE-1-RH:



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Newspapers, P.O. Box 2398, Beckley, WV 25802 c/o geckley

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240-301-2220 or can be faxed to: moo.seirissubni hr@bluestone

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PUBLIC NOTICE

9-27-TUE-1-RH; 4847 **WEST VIRGINIA** COMMISSION OF PUBLIC SERVICE

written comments. tor hearing in their request and reasons rules should include a ing on the proposed hold a comment hearthat the Commission Persons requesting

vember 21, 2016.

Wise T 016 thereunder, for sale at public aucdescrition at the front door of the Raleigh County e, toim-Courthouse in Beckley, West Virginia, on ease-October 14, 2016 purte o be

at 9:30 a.m. the following described real estate, together with its improvements, easements and appurtenances thereunto belonging, situate in Mabscott District, Raleigh County, West Virginia, and more particularly described as follows:

THE LAND REFER-RED TO HEREIN BE-LOW IS SITUATED IN THE COUNTY OF Raleigh, STATE OF West Virginia AND IS DE-SCRIBED AS FOL-

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CO

Emissions in tpy (tons per year) 0.882 16.54 0.121

0.013 PM10 0.375 Total HAPs

Startup of operation is planned to begin on or about the 1st day of May, 2017. Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304, for at least 30 calendar days from the date of publication of this notice.

Any questions regarding this permit application should be directed to the DAQ at (304) 926-0499, extension 1250, during normal business hours.

Dated this the 27th day of September, 2016

By: Beckley Sanitary Board Jeremiah Johnson Beckley Sanitary Board Manager 301 South Heber Street CORNER OF THE WV Beckley, West Virginia 25801 ame COUNTRY HOMES, 9-27-TUE-1-RH;

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9-27-TUE-1-RH; 4847 WEST VIRGINIA COMMISSION OF PUBLIC SERVICE

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Kessler, Joseph R

From: Kessler, Joseph R

Sent:Thursday, October 20, 2016 11:09 AMTo:'jjohnson@beckleysanitaryboard.org'Cc:'Julie E. Barry'; 'Jenelle H. Armstrong'Subject:R13-3341 Permit Application Status

RE: Application Status: Complete

Beckley Sanitary Board

Piney Creek Wastewater Treatment Plant

Permit Application: R13-3341 Plant ID No.: 081-00165

Mr. Johnson,

Your application for a modification permit was received by the Division of Air Quality (DAQ) on September 21, 2016 and assigned to the writer for review. Upon an initial review, the application has been deemed complete as of the date of this e-mail. The ninety (90) day statutory time frame began that day.

This determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit determination.

Should you have any questions, please contact me at (304) 926-0499 ext. 1219 or reply to this email.

Thank You,

Joe Kessler, PE Engineer West Virginia Division of Air Quality 601-57th St., SE Charleston, WV 25304 Phone: (304) 926-0499 x1219

Fax: (304) 926-0478

Joseph.r.kessler@wv.gov

Entire Document
NON-CONFIDENTIAL

Wind 100 mon

Kessler, Joseph R

From:

Ward, Beth A

Sent:

Friday, September 23, 2016 11:48 AM

To:

Kessler, Joseph R

Subject:

PILGRIM'S PRIDE CORP OF WV AND BECKLEY SANITARY BOARD PERMIT

APPLICATION FEE

This is the receipt for payment received from:

PILGRIM'S PRIDE CORPORATION OF WEST VIRGINIA INC, MOOREFIELD, CHECK NUMBER 0003372762, CHECK DATE 09/13/2016, \$300.00 R13-1863F ID# 031-00010

BECKLEY SANITARY BOARD, BECKLEY, PINEY CREEK, CHECK NUMBER 96877, CHECK DATE 09/14/2016, \$2,000.00 R13-3341 ID# 081-00165

OASIS Deposit CR 1700032458

Thank You!

Beth Wand

WV DEPARTMENT OF ENVIRONMENTAL PROTECTION **BTO FISCAL** 601 57[™] STREET SE CHARLESTON, WV 25304 (304) 926-0499 EXT 1846 beth.a.ward@wv.gov

UC Defaulted Accounts Search Results

Sorry, no records matching your criteria were found.

FEIN:

Business name:

BECKLEY SANITARY BOARD

Doing business as/Trading as:

Please use your browsers back button to try again.

<u>WorkforceWV</u>

<u>Unemployment</u> <u>Compensation</u> Offices of the Insurance

Commissioner

UC Defaulted Accounts Search Results

Sorry, no records matching your criteria were found.

FEIN:

556000144

Business name:

Doing business as/Trading as:

Please use your browsers back button to try again.

WorkforceWV Unemployment Compensation Offices of the Insurance Commissioner

Kessler, Joseph R

From:

Jenelle H. Armstrong < jarmstrong@thrashereng.com>

Sent:

Thursday, October 13, 2016 10:01 AM

To:

Kessler, Joseph R

Cc:

Julie E. Barry

Subject:

FW: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Attachments:

BSB - AIR QUALITY.PDF

Hi Joe -

Attached please find a scanned of the original affidavit. We are sending the hard copy via UPS today. Please let us know if you do not receive it tomorrow.

Please call or email me with any questions.

Thank you,

Jenelle

Entire Document NON-CONFIDENTIAL

Jenelle H. Armstrong, P.E. **Project Manager**

300 Association Drive Charleston, WV 25311

P: 304-343-7601 D: 304-205-8804 F: 304-343-7604 C: 304-553-4291

jarmstrong@thrashereng.com

www.thrashereng.com

I.D. No. 081-00165 Reg. 334 Company BECKLEY SANDIARY RURED

From: Kessler, Joseph R [mailto:Joseph.R.Kessler@wv.gov]

Sent: Tuesday, October 11, 2016 9:31 AM

To: Julie E. Barry

Subject: RE: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Thank you Julie, please send in the original affidavit as well. I will complete an initial completeness review by 10/21, and will get back to you by then with any additional information I need to deem the application complete.

Thanks

Joe Kessler, PE Engineer West Virginia Division of Air Quality 601-57th St., SE Charleston, WV 25304

Phone: (304) 926-0499 x1219

Fax: (304) 926-0478

TO NO.

Joseph.r.kessler@wv.gov

From: Julie E. Barry [mailto:jbarry@thrashereng.com]

Sent: Monday, October 10, 2016 4:51 PM

To: Kessler, Joseph R < Joseph.R.Kessler@wv.gov>

Cc: Jenelle H. Armstrong < jarmstrong@thrashereng.com>

Subject: Beckley Sanitary Board - Piney Creek - DAQ Application Number R13-3341

Hi, Joseph-

RE: Application Status Beckley Sanitary Board Beckley; Piney Creek Facility ID No. 081-00165 Application No. R13-3341

Please find the attached Class I legal advertisement for the Beckley Sanitary Board Piney Creek facility. If you have questions or need additional information, please let me know.

Best Regards,

Julie E. Barry, L.R.S. Senior Environmental Manager

MHRASHER

P.O. Box 940 600 White Oaks Boulevard Bridgeport, West Virginia 26330

P: 800.273.6541 D: 304.848.7839 C: 304.627.7419 F: 304.624.7831 www.thrashereng.com

This E-mail has been successfully scanned via a Thrasher Group Anti-Spam scanning device

AFFIDAVIT OF PUBLICATION

BECKLEY NEWSPAPERS **BECKLEY, WEST VIRGINIA 25801**

09	/27	/20	1	6

STATE OF WEST VIRGINIA COUNTY OF RALEIGH, to wit:

I, Tara Meyer, being duly sworn upon my oath, do depose and say that I am Legal Advertising Clerk for Beckley Newspapers, a corporation, publisher of the newspaper entitled The Register-Herald, an Independent newspaper; that I have been duly authorized by the board of directors of such corporation to execute this affidavit of publication; that such newspaper has been published for more than one year prior to publication of the annexed notice described below; that such newspaper is regularly published daily for at least fifty weeks during the calendar year, in the municipality of Beckley, Raleigh County, West Virginia: that such newspaper is a newspaper of "general circulation" as that term is defined in article three ,chapter fifty-nine of the Code of West Virginia, 1931, as amended, within the publication area of areas of the aforesaid municipality and county; that such newspaper averages in length four or more pages, exclusive of any cover, per issue; that such newspaper is circulated to the general public at a definite price of consideration; that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial and social nature, and for current happenings, announcements, miscellaneous reading matter, advertisements and other notices; that the annexed notice

of AIR OUALITY PERMIT NOTICE / NOTICE OF APPLICATION

(Description of notice)

was duly published in said newspaper once a week for 1 successive

weeks (Class 1), commencing with the issue of 09/27/2016

and ending with the issue of 09/27/2016, that said annexed notice was

published on the following dates: 09/27/2016,

and that the cost of publishing said annexed notice as aforesaid was \$ 55.18

Signed

Tara Meyer

Legal Advertising Clerk

Beckley Newspapers

Taken, subscribed and sworn to before me in my said county this day:

09/27/2016

My commission

Notary Public of Raleigh County

OFFICIAL SEAL totary Public. State of West Virginis DIANA L. SLONE

Sockley Nowspapere

P. O. Bax 2393

Bockley, WY 23802 My commission expires March 27, 2021

COPY OF PUBLICATION

A attacked

AIR QUALITY PERMIT NOTICE LEGAL ADVERTISEMENT CLASS 1 9/27/2016

thereunder, will offer ote thereunder, will offer for sale at public suction at the front door of the Raleigh County Courthouse in Beckley, West Virginia, on Outober 14, 2018 at 9:30 a.m. the following described real enters to descrie, to-Hin-2056ourteo be-

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IŤ. a gether with its improvements, ease-ments and appurts-nences thereunto be-longing, situate in Mabacott District, Re-leigh County, West Virginia, and more particularly described

West as follows: THE LAND REFER RED TO HEREIN BE-LOW IS SITUATED IN THE COUNTY OF Re-Virginie AND IS DE-SCRIBED AS FOL-LOWS:

abino BEGINNING AT A CUT MARK (FOUND) IN THE SIDEWALK BEING THE CORNER OF rick's er of reek; LOTS NO. 3 AND 9, AT THE RIGHT-OF-WAY OF CHESTNUT STREET, THENCE aight er of STREET, THENCE LEAVING THE RIGHT-OF-WAY OF CHEST-NUT STREET, AND WITH THE LOT LINE aight i to a and Rail-TUR-OF LOTS NO. 8 AND 9; S 77 DEGREES 03' E 115.38 FEET TO A CORNER FENCE POST

000 LEGALS 000

Medica of Application

October 14, 2018
at 9:30 a.m.
The following described real settite, to-gether with its improvements, easements and appurtenentes and appurtenentes thereunto belorging, situate in Matecott District, Relation County. West Virginia Department of Air Quelity, for a Construction Permit for a Construction Permit under 46 CSR 13 for a flare nences thereunto belorging, situate in Raisigh County, West Virginia. The latitude and longitude coordinates are: 37,770217 N, lation County. West I'me andicant estimates the potential to

The applicant estimates the potential to discharge the following Regulated Air Pollutants will be:

Potential Emissions

Potential Emissions Emissions in thy

(tons per yeer)

0.882

CO 0.121

SO2 0.013

PM10 0.375

Total HAPs 0.003

Startup of operation is planned to begin on or about the 1st day of May, 2017. Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304, for at least 30 calendar days from the date of publication of this notice. days from the date of publication of this notice.

Any questions regarding this permit applica-tion should be directed to the DAQ at (304) 926-0499, extension 1250, during normal business hours.

Dated this the 27th day of September, 2018

2 Old OF LOTS NO. 8 AND 9; bed S 77 DEGREES 03' E sgm- 115.38 FEET TO A Jeremish Johnson CORNER FENCE POST 9 or (FOUND) BEING A CORNER OF THE WV lame COUNTRY HOMES, 9-27-TUE-1-RH;

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Adkins, Sandra K

From: Adkins, Sandra K

Sent: Friday, September 23, 2016 9:50 AM

To: 'jjohnson@beckleysanitaryboard.org'; 'jbarry@thrashereng.com'

Cc: McKeone, Beverly D; Kessler, Joseph R

Subject: WV DAQ Permit Application Status for Beckley Sanitary Board; Beckley; Piney Creek

RE: Application Status

Beckley Sanitary Board Beckley; Piney Creek Facility ID No. 081-00165 Application No. R13-3341



Mr. Johnson,

Your application for a construction permit for the Piney Creek Wastewater Treatment Plant was received by this Division on September 21, 2016, and was assigned to Joe Kessler. The following item was not included in the initial application submittal:

Original affidavit for Class I legal advertisement not submitted.

This item is necessary for the assigned permit writer to continue the 30-day completeness review.

Within 30 days, you should receive a letter from Joe stating the status of the permit application and, if complete, given an estimated time frame for the agency's final action on the permit.

Any determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit decision.

In the future, please submit one original application and two electronic versions. Electronic versions should contain signatures.

Should you have any questions, please contact the assigned engineer, Joe Kessler, at 304-926-0499, extension 1219.

Date Diagnost NON-CONFIDENTIAL